

REMARKS

Claims 1-8 are pending in the present application. Claims 1, 3, 5, and 7 are independent.

Priority

Although the Office Action acknowledges applicant's claim for foreign priority, the Office Action further notes that applicant has not filed a certified copy of the Japanese application. This objection is respectfully traversed.

Applicants respectfully point out that the International Bureau of WIPO has already forwarded the certified copy of the foreign priority document. This is clearly as indicated in the transmittal letter (PTO Form 1390) to the United States Designated/Elected Office concerning a filing under 35 U.S.C. §371. As noted therein, applicant did indeed supply form PCT/IP/304 which is the notification concerning submission of transmittal of priority document. As clearly indicated on PCT/IB 304 form, the International Bureau received the foreign priority document No. 2000/99669 filed 31 March 2000 and that this priority document was received by the International Bureau on 18 May 2001. Copies of the 304 form and the transmittal form are attached for the Examiner's reference. In view of this clear evidence, applicants respectfully submit that the certified copy has indeed been submitted consistent with standard PCT procedure.

Drawing Objection

The drawings are objected to because of some misspelled words. This drawing objection is respectfully traversed.

Concurrently filed herewith are substitute drawings that correct the noted spelling errors in the drawings. Specifically, the misspelled word “scalling” has been corrected to read “scaling” in Figs. 2 and 3. Furthermore, the misspelled word “colum” has been corrected to read “column” in Figs. 12, 16, 17 and 18. Applicants respectfully request approval of the proposed drawing correction and reconsideration and withdrawal of the drawing objection.

Substitute Specification

The Office Action requires a substitute specification because it appears to be a literal translation into English and is replete with grammatical and idiomatic errors.

Concurrently filed herewith is the substitute specification demanded by the Office action. This substitute specification addresses each of the specific points raised in the Office Action. Applicant respectfully submits that substitute specification does not enter any new matter. For confirmation, a marked-up copy showing all changes is also included herewith.

Claim Objections

Claims 1-8 are objected to because of several noted informalities. This objection, insofar as it pertains to the presently pending claims, is respectfully traversed. The above amendments substantially rewrite all the pending claims in a manner that is specifically intended to avoid the claim objection and the claim rejection below. In view of these substantial amendments, applicants respectfully request reconsideration and withdrawal of the claim objection.

35 U.S.C. §112, First Paragraph Rejection

Claims 2, 4, 6 and 8 are rejected under 35 U.S.C. §112, first paragraph as alleging failing to comply with the enablement requirement.

This rejection is completely erroneous. As clear evidence that applicant did indeed provide a fully enabled application, applicants submit that the Examiner's own statements prove this point. Specifically, the Examiner correctly interprets the term "inter-signal-point distance" as being the hamming distance. Since the Examiner correctly understood this term as evidenced on page 4 of the Office Action, applicants respectfully submit that one of ordinary skill in the art such as Examiner Joseph Torres would indeed understand this term such that the specification is fully enabling. To further

clarify this issue, the inter signal point distance is further defined or clarified as the hamming distance in the substitute specification submitted herewith.

In view of this amendments and arguments, applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. §112, first paragraph rejection.

35 U.S.C. §112, Second Paragraph Rejection

Claims 1-8 are rejected under 35 U.S.C. §112, second paragraph. This rejection, in so far as it pertains to the presently pending claims, is respectfully traversed.

Applicants have used the Examiner's detailed comments to substantially revise all of the pending claims. Applicants respectfully submit that the substantially revised claims fully satisfy 35 U.S.C. §112, second paragraph. Therefore, applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. §112, second paragraph rejection.

Art Rejection

Claims 1-8 are rejected under 35 U.S.C. §102(e) as being anticipated by Kim (U.S. Patent No. 6,598,202). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

Applicants note that Kim has a filing date (May 19, 2000) that is after the priority date of the present application (March 31, 2000). To perfect their claim of priority, applicants concurrently file herewith a verified translation of the priority document. Thus, Kim is no longer applicable to reject the present application and the rejection based on Kim is now moot. Therefore, applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. §102(e) rejection based on Kim.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

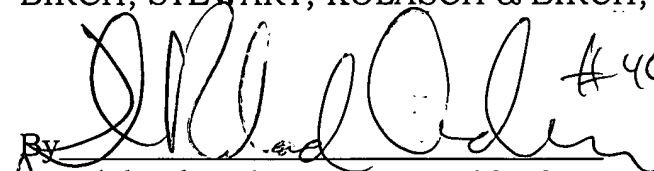
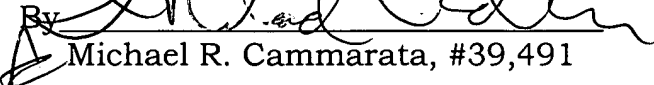
Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants respectfully petition for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$110.00 is attached hereto.

Appl. No. 09/980,226

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment(s)